

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P-14-424-PCT	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/IB2003/003767	International filing date (day/month/year) 14 August 2003 (14.08.2003)	Priority date (day/month/year) 19 August 2002 (19.08.2002)
International Patent Classification (IPC) or national classification and IPC H04N 7/10, 7/16, 7/167		
Applicant NAGRAVISION SA		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of \_\_\_\_\_ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 13 March 2004 (13.03.2004)	Date of completion of this report 12 August 2004 (12.08.2004)
Name and mailing address of the IPEA/EP D-80298 Munich Tel. +49 89 2399-0 Facsimile No. +49 89 2399-4465	Authorized officer Fassnacht, C Telephone No. +49 89 2399-6019

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/IB2003/003767

## I. Basis of the report

1. This report has been drawn on the basis of *(Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.)*:

- ☒ the international application as originally filed.
- ☒ the description, pages 1-12, as originally filed,  
pages \_\_\_\_\_, filed with the demand,  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_,  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_.
- ☒ the claims, Nos. 1-16, as originally filed,  
Nos. \_\_\_\_\_, as amended under Article 19,  
Nos. \_\_\_\_\_, filed with the demand,  
Nos. \_\_\_\_\_, filed with the letter of \_\_\_\_\_,  
Nos. \_\_\_\_\_, filed with the letter of \_\_\_\_\_.
- ☒ the drawings, sheets/fig 1/2-2/2, as originally filed,  
sheets/fig \_\_\_\_\_, filed with the demand,  
sheets/fig \_\_\_\_\_, filed with the letter of \_\_\_\_\_,  
sheets/fig \_\_\_\_\_, filed with the letter of \_\_\_\_\_.

2. The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/fig \_\_\_\_\_

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

4. Additional observations, if necessary:

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. Statement

Novelty (N)	Claims	1-16	YES
	Claims		NO
Inventive step (IS)	Claims	1-16	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-16	YES
	Claims		NO

## 2. Citations and explanations

Reference is made to the following document:

D1: WO 00/56068 A (THOMSON LICENSING SA; DEISS  
MICHAEL SCOTT (US); ESKICIOGLU AHMET M) 21  
September 2000 (2000-09-21)

D1, which is considered to be the prior art closest to the subject matter of claim 1, describes (the references between parentheses apply to said document): a method implemented in a global protection system for home networks with local encryption and decryption of control messages (ECM) using a local key ("rebundled descrambling key", "LECM"). The subject matter of claim 1 differs from D1 in that it relates to:

- a method for verifying the validity of a network key, wherein:
  - a test key is transmitted from the broadcasting device to the processing device, where a cryptogram is calculated using said key, and
  - the cryptogram is sent to the broadcasting device, where said cryptogram is compared to a list of cryptograms.

Such a method, which is useful for keeping the content

encrypted until it is read, is not known from D1. The subject matter of claim 1 is therefore novel (PCT Article 33(2)).

The problem that the present invention is intended to solve can be considered to be that of verifying the validity of a network key so as to keep the content encrypted until it is read. It is not obvious for a person skilled in the art to verify the validity of a network key by means of a method wherein:

- a test key is transmitted from the broadcasting device to the processing device, where a cryptogram is calculated using said key, and
- the cryptogram is sent to the broadcasting device, where said cryptogram is compared to a list of cryptograms.

This solution, as proposed in claim 1 of the present application, is therefore considered to involve an inventive step (PCT Article 33(3)).

Claims 2 to 16 are dependent on claim 1 and thus also comply, as such, with the PCT requirements of novelty and inventive step.

The method is industrially applicable.